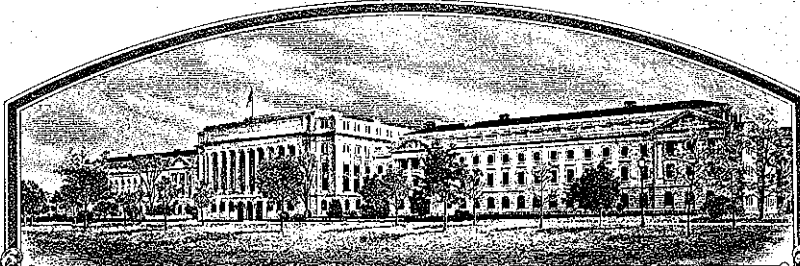


No.

8000012



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

North American Plant Breeders

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT

'Dancer'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 5th day of June in the year of our Lord one thousand nine hundred and eighty.

Attest:

Bernard H. Keen
Commissioner

Plant Variety Protection Office
Grain Division

Agricultural Marketing Service

W. B. Beyer
Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY 5236-53-5		1b. VARIETY NAME Dancer		FOR OFFICIAL USE ONLY PV NUMBER 8000012	
2. KIND NAME Soft Red Winter Wheat		3. GENUS AND SPECIES NAME Triticum aestivum		FILING DATE 11/14/79	TIME 4:00 P.M.
4. FAMILY NAME (BOTANICAL) Gramineae		5. DATE OF DETERMINATION August 1976		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 10-2-79 5/20/80
6. NAME OF APPLICANT(S) North American Plant Breeders		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 5201 Johnson Drive Mission, KS 66205		8. TELEPHONE AREA CODE AND NUMBER 913-384-4940	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Partnership			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Connecticut		11. DATE OF INCORPORATION March 9, 1973
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Giles E. Dixon, Research Director NAPB, P.O. Box 2955 Mission, KS 66205					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☒ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☒ YES ☐ NO 9/22/80

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☒ YES ☐ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☒ FOUNDATION ☒ REGISTERED ☒ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

Sept 13 1979
(DATE)


(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

Exhibit A

1. Dancer originated from a cross between Ben Hur and CI 14024 (Wis/538-2/Mtr/(Ill. 1-Cns-Tt D 35 7-1-Tk Ped 2))/(2) (Ma-^K~~Dr~~)/Bhk). ⁸ 11/23/80
2. The above cross was made in 1968 and F₁ plants were grown in the field in 1969. Twenty-two hundred, F₂ plants, were grown in the field in 1970 of which 76 were selected. Seed of each of these 76 F₂ plants were grown in the field in 1971 as F₃ lines. Thirty-five of these selections were then grown in F₄ yield tests in 1972. Seventeen of these were considered adequate for selection and advancement and 30 heads were taken from each selection and grown in F₅ head rows in 1973. Selections from these head rows were grown in preliminary yield trials in 1974. A selection was made which eventually was to become Dancer. In 1975, during intermediate yield trials, a first increase plot was grown from which 200 heads were selected. These were grown in 1976 and 155 were saved to become Dancer, experimental number 5236-53-5. A portion of seed from each of the 155 head rows was kept separate and grown in 1977 in 4' X 30' plots. Thirty-two additional lines were dropped for various reasons and the bulk of the remaining portion of seed from each of the remaining 123 pure seed rows was grown in 4' X 50' blocks. Due to an unusually high infestation of Rhizoctonia and winter kill, 34 lines were dropped. The bulk of the remaining 87 lines was used as breeders seed of Dancer. Dancer has been in Advanced Yield Trials for four years, 1976, 77, 78 and 1979. Nursery stocks for Dancer yield trials were put together from the new head-row source each year. Dancer was also in the Uniform Eastern Nursery in 1979.

3. Statement on the purity of Dancer. The following steps were taken to purify Dancer. 1) 200 heads were selected from an increase plot and grown in 1975, 2) 155 head rows were continued in 1976, 3) 123 head rows were continued in 1977, and 4) 87 head rows were continued and used as the seed source for Dancer in 1978. Reasons for discarding bulk head rows are described in paragraph 2 above.

The 87 head-row bulks grown in Indiana in 1978 were uniform. A 4 gram sample of each of the 87 bulks were planted and grown at Berthoud, CO in the 1978-79 season to determine whether additional off-types were present.

Results of this grow out are as follows: 1) one head in a head-row showed clavate head type. The entire row was discarded, 2) two rows showed black chaff and were discarded, and 3) the remaining head rows were within the confidence limits set for height and maturity, although 9 additional rows were discarded as a precautionary measure because they were on the extreme end of acceptability for height and maturity. Stand establishment in the fall of 1978 of these 9 rows was such that we feel it caused a slight variation in height and maturity as the harvest season approached.

We consider Dancer to be a uniform, stable and pure variety based on the above data.

Exhibit B

Statement of Novelty

Dancer can be distinguished from the majority of soft red winter wheat varieties by the fact that it has awns. Most soft red wheat varieties are awnless or awnletted. The most prominent awnless types are Abe, Arthur, Arthur 71, Beau, Ben Hur, Delta Queen, Doublecrop, Fuzz, Monon, Oasis, Roland, Rosen, Ruler, Southern Belle, Sullivan and Titan.

B 3/11/82

Dancer is most similar to Timwin, Hart, Pioneer S76 and Pioneer S78.

Dancer can be distinguished from Timwin since Dancer is resistant to Hessian Fly race B and Timwin is susceptible. Hart is also susceptible to Hessian Fly race B and shorter than Dancer. Dancer is taller (12-15 cm) and earlier (by 3-4 days) than Pioneer S76 and S78.



FORM GR-470-6
(2-15-73)UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782EXHIBIT C
(Wheat)OBJECTIVE DESCRIPTION OF VARIETY
WHEAT (TRITICUM SPP.)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S)

North American Plant Breeders

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

P.O. Box 2955
5201 Johnson Dr.
Mission, KS 66205

FOR OFFICIAL USE ONLY

PVPO NUMBER

8000012

VARIETY NAME OR TEMPORARY
DESIGNATION

Dancer

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g. 089 or 09) when number is either 99 or less or 9 or less.

1. KIND:

1 1 = COMMON 2 = DURUM 3 = EMMER 4 = SPELT 5 = POLISH 6 = POULARD 7 = CLUB

2. TYPE:

2 1 = SPRING 2 = WINTER 3 = OTHER (Specify) 1 1 = SOFT 3 = OTHER (Specify)
2 = HARD2 1 = WHITE 2 = RED 3 = OTHER (Specify)

3. SEASON - NUMBER OF DAYS FROM EMERGENCE TO:

 FIRST FLOWERING LAST FLOWERING

4. MATURITY (50% Flowering):

 NO. OF DAYS EARLIER THAN 1 = ARTHUR 2 = SCOUT 3 = CHRIS
01 NO. OF DAYS LATER THAN 7 4 = LEMHI 5 = NUGAINES 6 = LEEDS
7 = ABE 0-2 days later

5. PLANT HEIGHT (From soil level to top of head):

108 CM. HIGH
16 CM. TALLER THAN 7 1 = ARTHUR 2 = SCOUT 3 = CHRIS
 CM. SHORTER THAN 4 = LEMHI 5 = NUGAINES 6 = LEEDS
7 = ABE

6. PLANT COLOR AT BOOTING (See reverse):

2 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN

7. ANTHUR COLOR:

1 1 = YELLOW 2 = PURPLE

8. STEM:

2 Anthocyanin: 1 = ABSENT 2 = PRESENT 2 Waxy bloom: 1 = ABSENT 2 = PRESENT
2 Hairiness of last internode of rachis: 1 = ABSENT 2 = PRESENT 1 Internodes: 1 = HOLLOW 2 = SOLID
04 NO. OF NODES (Originating from node above ground) 28 CM. INTERNODE LENGTH BETWEEN FLAG LEAF AND LEAF BELOW

9. AURICLES:

2 Anthocyanin: 1 = ABSENT 2 = PRESENT 2 Hairiness: 1 = ABSENT 2 = PRESENT

10. LEAF:

1 Flag leaf at booting stage: 1 = ERECT 2 = RECURVED 2 Flag leaf: 1 = NOT TWISTED 2 = TWISTED
3 = OTHER (Specify): 2 Waxy bloom of flag leaf sheath: 1 = ABSENT 2 = PRESENT
1 Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT 27 CM. LEAF LENGTH (First leaf below flag leaf):
13 MM. LEAF WIDTH (First leaf below flag leaf)

11. HEAD:

- 3 Density: 1 = LAX 2 = DENSE 3 = middense
 middense; when 10 internodes occupy from 35-60 mms
- 4 Awnedness: 1 = AWNLESS 2 = APICALLY AWNLETED 3 = AWNLETED 4 = AWNED
- 1 Color at maturity: 1 = WHITE 2 = YELLOW 3 = PINK 4 = RED
 5 = BROWN 6 = BLACK 7 = OTHER (Specify):

0 8 CM. LENGTH

0 8 MM. WIDTH

12. GLUMES AT MATURITY:

- 2 Length: 1 = SHORT (CA. 7 mm.) 2 = MEDIUM (CA. 8 mm.)
 3 = LONG (CA. 9 mm.)
- 2 Width: 1 = NARROW (CA. 3 mm.) 2 = MEDIUM (CA. 3.5 mm.)
 3 = WIDE (CA. 4 mm.)

- 2 Shoulder 1 = WANTING 2 = OBLIQUE 3 = ROUNDED
 shape: 4 = SQUARE 5 = ELEVATED 6 = APICULATE

- 3 Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE

13. COLEOPTILE COLOR:

- 1 1 = WHITE 2 = RED 3 = PURPLE

14. SEEDLING ANTHOCYANIN:

- 2 1 = ABSENT 2 = PRESENT

15. JUVENILE PLANT GROWTH HABIT:

- 2 1 = PROSTRATE 2 = SEMI-ERECT 3 = ERECT

16. SEED:

- 1 Shape: 1 = OVATE 2 = OVAL 3 = ELLIPTICAL

- 1 Cheek: 1 = ROUNDED 2 = ANGULAR

- 2 Brush: 1 = SHORT 2 = MEDIUM 3 = LONG

- 1 Brush: 1 = NOT COLLARED 2 = COLLARED

- 3 Phenol reaction 1 = IVORY 2 = FAWN 3 = LT. BROWN
 (See instructions): 4 = BROWN 5 = BLACK

- 3 Color: 1 = WHITE 2 = AMBER 3 = RED 4 = PURPLE 5 = OTHER (Specify):

0 6 MM. LENGTH

0 3 MM. WIDTH

3 8 GM. PER 1000 SEEDS

17. SEED CREASE:

- 1 Width: 1 = 60% OR LESS OF KERNEL 'WINOKA'
 2 = 80% OR LESS OF KERNEL 'CHRIS'
 3 = NEARLY AS WIDE AS KERNEL 'LEMHI'

- 1 Depth: 1 = 20% OR LESS OF KERNEL 'SCOUT'
 2 = 35% OR LESS OF KERNEL 'CHRIS'
 3 = 50% OR LESS OF KERNEL 'LEMHI'

18. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

- 2 STEM RUST (Races) RS HS TH MS 1 LEAF RUST (Races) slow rust

- STRIPE RUST (Races) LOOSE SMUT

- 1 POWDERY MILDEW Q S RS BUNT

- 1 OTHER (Specify) SBMV

19. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

- SAWFLY HNLQ APHID (Bydv.)

- 0 GREEN BUG 0 CEREAL LEAF BEETLE

- OTHER (Specify) HESSIAN FLY RACES:

- 0 GP 2 A 2 B 1 C
 1 D 0 E 0 F 0 G

20. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering		Seed size	Blueboy II
Leaf size	to be submitted at a	Seed shape	Blueboy II
Leaf color	later date	Coleoptile elongation	Hart
Leaf carriage		Seedling pigmentation	Hart

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

- (a) L.W. Briggles and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, United States Department of Agriculture.
- (b) W.E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

LEAF COLOR: Nickerson's or any recognized color fan should be used to determine the leaf color of the described variety.

Exhibit D

Additional Description of Dancer

Botanical description of the mature plant and seed of Dancer are as follows: Plant is a winter habit type; juvenile plant growth habit is semi-erect; height intermediate-tall type; stem is white, spike awned, tapering, averaging 8mm in width (with a range of 7.5 - 8.5mm); the spike is middense averaging 47 mm per 10 internodes of rachis (with a range from 42 to 51 mm), shoulder shape is oblique to rounded, glumes are glabrous, white, averaging 8.5 mm (range of 8-8.7 mm), average glume width is 3.5 mm (range 3 - 3.5mm); beaks are acuminate, averaging 3.5 mm and the base is approximately 1 mm in width; kernels are soft red, ovate to elliptical with a medium brush and are not collared, approximately 1% exhibit a brown coloration on the germ.



P.O. BOX 30 □ 806 NORTH SECOND ST. □ BERTHOUD, COLORADO 80513 □ (303) 532-3721

February 26, 1980

Dr. Larry W. Dosier
Examiner, Plant Variety
Protection Office, USDA
Beltsville, Maryland 20705

Dear Dr. Dosier:

Subject: Wheat Application No. 8000012, 'Dancer'

In response to your letter of February 7, 1980, we wish to clarify the following points:

1. Exhibit D - Dancer is a white-stemmed variety that occasionally will express a small amount of anthocyanin just prior to maturation. Cool temperatures during the grain-filling period will occasionally induce stem coloration.
2. Exhibit D - We do not consider the seed crease of Dancer to be pitted.
3. Exhibit B - A revised novelty statement is attached to clarify that Dancer is most similar to Timwin, Hart, Pioneer S76, and Pioneer S78, and further that Dancer can be distinguished from each of the above named varieties.

I hope this provides the additional information you needed.

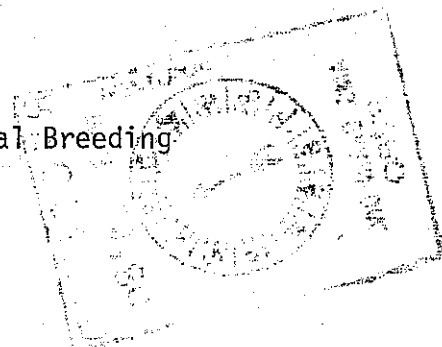
Sincerely,

Bob

R. E. HEINER
Director of Cereal Breeding

cc: Giles Dixon

REH/eh



APPLICATION NO. 8000012

VARIETY NAME Dancer

Test Results Based on the American Association of Cereal Chemists Approved Method (AACC)

1. Straight dough development time ratio:

Farino graph _____

Dough-Mixer _____

2.

Baking Ingredients	Arrival time-- minutes	Peak time	Stability-- minutes	Curve center height B.U.	Height at end B.U.
Yeast					
No rest					
4 hr. rest					

3. Protein percentage _____

	% Flour Protein	% Flour Yield	Mix Time Peak(min)	Cookie Diam. (cm)
Dancer	10.7	69.9	2.27	18.2
Abe	10.1	67.9	3.14	17.9
Arthur 71	9.9	67.8	3.06	18.0

This data are averaged from 4 locations over 2 years (1975-76).

BILL OF SALE AND ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS that AGRIPRO BIOSCIENCES INC., a Delaware corporation (hereinafter referred to as "Seller"), pursuant to that certain Asset Purchase Agreement of even date herewith by and between Seller and AGR ACQUISITION CORPORATION, a Delaware corporation (hereinafter referred to as "Buyer") and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, assign, convey and deliver unto Buyer, all of Seller's right, title and interest in and to the plant varieties owned/registered by Seller and more particularly set forth on Exhibit A attached hereto for which PVP Certificates have been issued by or may be pending before the U. S. Department of Agriculture.

TO HAVE AND TO HOLD UNTO PURCHASER, its successors and assigns forever.

IN WITNESS WHEREOF, Seller has executed this Bill of Sale and Assignment as of the 30th day of June, 1994.

AGRIPRO BIOSCIENCES INC.

BY: W.A. Zama

Title: President

STATE OF KANSAS, COUNTY OF JOHNSON

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared W. A. ZAMA with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the PRESIDENT of Agripro Biosciences Inc., the within named bargainer, a corporation, and that he as such PRESIDENT, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as PRESIDENT.

WITNESS my hand and Notarial Seal at office the day and year above written.

Alma M. Weaver
Notary Public

My Commission Expires:

June 22, 1998

ALMA M. WEAVER
NOTARY PUBLIC
STATE OF KANSAS

My Appt. Exp. June 22, 1998

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "AGR ACQUISITION CORPORATION", CHANGING ITS NAME FROM "AGR ACQUISITION CORPORATION" TO "AGRIPRO SEEDS, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JUNE, A.D. 1994, AT 4:30 O'CLOCK P.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.



Edward J. Freel

SECRETARY OF STATE
AUTHENTICATION:

7169071

DATE:

07-01-94

2394087 8100

944121584

06/30/94 14:25 0913 384 0208

ABI SHAWNEE MSN

002/002

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
AGR ACQUISITION CORPORATION

AGR Acquisition Corporation, a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: that the Board of Directors of said corporation, by the unanimous written consent of its members filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

RESOLVED, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered "ARTICLE I" so that, as amended, said Article shall be and read as follows:

"ARTICLE I

Name

The name of the corporation (hereinafter called the 'Corporation') is Agripro Seeds, Inc."

SECOND: That in lieu of a meeting and vote of stockholders, the sole shareholder of the corporation has given unanimous written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said corporation shall not be reduced under or by reason of said amendment.

IN WITNESS WHEREOF, said AGR Acquisition Corporation has caused this certificate to be signed by Gary T. Hancock, its President, and attested by Ann Steelman, its Secretary, this 30th day of June, 1994.

AGR ACQUISITION CORPORATION

BY:

Gary T. Hancock
Gary T. Hancock, President

ATTEST:

BY:

Ann Steelman
Ann Steelman, Secretary

LAW OFFICES

BURCH, PORTER & JOHNSON

130 NORTH COURT AVENUE

MEMPHIS, TENNESSEE 38103

TELEPHONE 901-523-2311
TELECOPIER 901-523-7140

July 25, 1994

LUCIUS E. BURCH, JR.
W. J. MICHAEL CODY
JOEL PORTER
CHARLES F. NEWMAN
C. THOMAS GATES
JOE M. GUNGAN
JOHN A. STEHMLER
J. BROOKE LATHRAM
JEF FEIBELMAN
DEWITT M. SHY, JR.
R. MICHAEL POTTER
JOHN W. CHANDLER, JR.
DAVID J. HARRIS
WARNER B. RODDA
DAVID M. LILLARD, JR.
HOLLY K. LILLARD
SAM L. CRAIN, JR.
NATHAN A. BICKSSTEPHEN D. CRAWLEY
LAUREL E. WILLIAMS
LISA A. KRUPICKA
LEEANNE MARSHALL COX
RICHARD R. SPORE, III
BETH WEEMS BRADLEY
KATHRYN E. STORY
LES JONES
MELISSA A. HARAVICH
RICHARD E. WILKINS
TODD A. ROSE
REVA M. KRIEGL
SUSAN CLARK TAYLOR
DOUGLAS F. HALLUAN
JOHN W. CAMPBELL
R. PORTER FEILDCHAS. N. BURCH 1868-1936
H. D. MINOR 1868-1947
CLINTON H. MCKAY 1869-1943
JESSE E. JOHNSON, JR. 1913-1980
JOHN S. PORTER 1909-1990MORGAN KEEGAN OFFICE
50 NORTH FRONT STREET
SUITE 650
MEMPHIS, TENNESSEE 38103
TELEPHONE 901-527-2311
TELECOPIER 901-527-4199

Ms. Ann Zempolich
Plant Variety Protection Office
U. S. Department of Agriculture
500 NAL Building
10301 Baltimore Boulevard
Beltsville, MD 20705

Re: Agripro Biosciences Inc. Sale of PVPs to AGR Acquisition Corporation (which has changed its name to Agripro Seeds, Inc.)

Dear Ms. Zempolich:

I am enclosing herewith the Bill of Sale and Assignment wherein Agripro Biosciences Inc. has sold and assigned all of its right, title and interest in and to the PVPs listed on the attachment to the Bill of Sale to AGR Acquisition Corporation and hereby request that your records be changed to show the new owner as Agripro Seeds, Inc., the new name of AGR Acquisition Corporation. It is our understanding that the attachment was generated by someone in your office and forwarded to Agripro Biosciences Inc. at its request, and was subsequently forwarded to our office as attorneys for the purchaser in connection with the sale transaction.

As I indicated to you in our several previous telephone conversations, AGR Acquisition Corporation changed its corporate name to Agripro Seeds, Inc. the same date as the closing of the sale. I am enclosing herewith a copy of the Certificate of Amendment filed by the Delaware Secretary of State wherein the corporate name is changed.

If I counted correctly, there are 149 PVP certificates listed on the attachment to the Bill of Sale and Assignment. I am enclosing a check in the amount of \$3,725.00 payable to United States Treasury in payment of the \$25.00 per certificate fee to change the owner's name on your records.

THIS DOCUMENT HAS A COLORED BACKGROUND - NOT A WHITE BACKGROUND

THIS DOCUMENT HAS A COLORED BACKGROUND



HELENA CHEMICAL COMPANY
Suite 3200 - Clark Tower
5100 Poplar Avenue
Memphis, Tennessee 38137

DATE

CHECK NUMBER

7-8-94

22406

PROTECTION
AMOUNT

EXACTLY \$3,725.00

PAY THIS AMOUNT

\$3,725.00

United States Treasury

PAY TO THE
ORDER OF

HELENA CHEMICAL COMPANY

by

AUTHORIZED SIGNATURES



United States Department of Agriculture

January 21, 1998

Research, Education, and Economics
Agricultural Research Service

Marian R. Minnifield
Secretary
Plant Variety Protection Office
NAL Building, Room 500
10301 Baltimore Boulevard
Beltsville, Maryland 20705-2351

Subj: Expired PVPO's; disposition of

1. The following expired PVPO's have been transferred to the NPGS. Our records have been changed accordingly.

<u>Serial Number</u>		<u>PVP Number</u>	<u>EXPIRED</u>
107423	01	7900099	01/02/1997
107424	01	7800077	01/02/1997
107425	01	7900062	01/02/1997
107428	01	7900095	01/02/1997
107429	01	7700092	01/02/1997
108309	01	7900116	01/29/1997
108310	01	7900117	01/29/1997
108311	01	7900087	01/29/1997
108312	01	7800080	01/29/1997
108313	01	7800020	01/29/1997
109381	01	7900113	03/27/1997
109382	01	7900030	03/27/1997
109383	01	7900102	03/27/1997
109384	01	7900063	03/11/1997
109386	01	7300068	03/11/1997
109387	01	7900120	02/26/1997
109388	01	7700028	02/26/1997
109389	01	7700112	02/26/1997
109390	01	7900040	03/11/1997
109791	01	7800071	02/26/1997
110210	01	8000058	05/15/1997
110211	01	7800103	05/01/1997
110212	02	8000001	05/01/1997
110213	01	7800001	05/01/1997



Northern Plains Area • National Seed Storage Laboratory
1111 South Mason Street • Ft. Collins, CO 80521-4500
Voice: 970.495-3200 • Fax: 970.221-1427
An Equal Opportunity Employer

110214	02	7200105	04/24/0197
110215	01	8000022	04/24/1997
110216	01	7900060	05/01/1997
110217	01	7900084	05/01/1997
110218	01	8000071	05/15/1997
110219	01	7900101	05/01/1997
110220	01	8000043	05/15/1997
110221	01	8000015	05/15/1997
110222	01	7900111	05/15/1997
110223	01	7900110	05/15/1997
110227	01	7900106	05/15/1997
110228	01	7900071	04/24/1997
110229	01	7900100	05/01/1997
110230	01	7900075	05/01/1997
110231	01	7900108	04/24/1997
110236	01	8000053	05/29/1997
110239	01	7900098	05/29/1997
110240	01	7900006	05/29/1997
110263	01	7900042	06/05/1997
110264	01	8000048	06/05/1997
110265	01	8000063	06/05/1997
110266	01	8000012	06/05/1997
110267	01	8000049	06/05/1997
110268	01	7800092	06/05/1997
112329	01	8000045	06/19/1997
112330	01	7900088	07/10/1997
112331	01	8000044	07/10/1997
112332	01	7800079	06/19/1997
112333	01	7900074	06/26/1997
112334	01	8000061	06/19/1997
112335	01	7700016	07/10/1997
112336	01	7700017	07/10/1997
112337	01	7900105	06/26/1997
112338	01	7900089	06/19/1997
112339	01	7900072	06/19/1997
112342	01	7900090	06/26/1997
112343	01	7900064	07/10/1997
112344	01	8000072	06/19/1997
112345	01	8000009	07/31/1997
112346	01	7800099	07/31/1997
112347	01	8000040	07/31/1997
112348	01	8000039	07/31/1997
112349	01	8000041	07/31/1997
112350	01	7900080	07/31/1997
112351	01	8000006	07/31/1997

112352	01	8000027	07/31/1997
112353	01	8000024	07/31/1997
112354	01	8000076	07/31/1997
112355	01	8000025	07/31/1997
112356	01	8000062	07/31/1997
112357	01	8000102	07/31/1997
112360	01	8000023	07/31/1997
112361	01	7900078	07/31/1997
112362	01	8000093	07/31/1997
112363	01	8000020	07/31/1997
112364	01	7800019	07/31/1997
112365	01	7900079	07/31/1997
113482	01	8000118	09/11/1997
113483	01	8000114	09/11/1997
113484	01	8000119	09/11/1997
113485	01	8000113	09/11/1997
113486	01	8000086	09/11/1997
113487	01	7900070	09/11/1997
113488	01	8000033	09/11/1997
113489	01	8000034	09/11/1997
113490	01	7900022	09/11/1997
113491	01	8000090	09/11/1997
113492	01	8000105	09/11/1997
113493	01	7900056	09/11/1997
113494	01	7900057	09/11/1997
113495	01	8000096	09/11/1997
113498	01	8000099	09/11/1997
113499	02	7900082	09/11/1997
113500	01	7500083	09/11/1997
113501	01	8000013	09/11/1997
113502	01	7900083	09/11/1997
113503	01	7300090	09/11/1997
114293	01	8000130	10/16/1997
114597	01	7900104	10/16/1997
114598	01	8000077	10/16/1997
114599	01	8000111	10/16/1997
114600	01	8000011	10/16/1997
114601	01	8000134	10/16/1997
169608	01	8100103	07/15/1997

Sincerely,



Eugene D. Keys

Computer Assistant

Data Management